

USDC SDNY
DOCUMENT
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DATE FILED: 1/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ICON INTERNATIONAL, INC.,

Plaintiff,

-against-

ELEVATION HEALTH LLC,

Defendant.

ELEVATION HEALTH LLC,

Counterclaim Plaintiff,

-against-

ICON INTERNATIONAL, INC.,

Counterclaim Defendant.

ELEVATION HEALTH LLC,

Third-Party Plaintiff,

-against-

GYPSET, INC., DAYNA ZEGARELLI, JOE DAVIS,
CLARENCE V. LEE III, MARIO GONZALES, and
KHALID ITUM,

Third-Party Defendants.

1:22-cv-4304-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The parties appeared for a Pretrial Conference on January 6, 2025. Counsel for Khalid Itum, Mr. Rao, did not appear in person and was permitted to appear telephonically. As explained during the conference, parties were directed to appear for the Pretrial Conference in-person and Mr. Rao is admonished to follow the orders of this Court. [ECF No. 168].

During the conference, the Court discussed several items with the parties, including the parties' Joint Proposed Verdict Sheet and the parties' positions regarding a non-unanimous jury


verdict. The Court also distributed to all attorneys appearing in person, the Court's draft Court Introduction and Voir Dire.

As discussed with the parties during the conference, it is HEREBY ORDERED that by the end of the day on Wednesday, January 8, 2025, parties shall notify the Court of any objections to the distributed draft Court Introduction and Voir Dire, parties shall file an amended Joint Proposed Verdict Sheet along the lines discussed during the conference, and parties shall notify the Court regarding whether they consent to a non-unanimous verdict.

The parties are reminded that failure to comply with this Order or with any order of the Court or failure to comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or the parties' discovery or other obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence.

SO ORDERED.

**Date: January 7, 2025
New York, NY**


MARY KAY VYSKOCIL
United States District Judge